



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Marilyn Dawson,
Niesha Horton and Dimple Patel,
Management Assistant (M0560B),
Newark

Examination Appeal

CSC Docket Nos. 2021-919
2021-813
2021-877

ISSUED: MARCH 26, 2021 (RE)

Marilyn Dawson, Niesha Horton and Dimple Patel appeal the determinations of the Division of Agency Services (Agency Services) which found that they were below the minimum requirements in experience for the open competitive examination for Management Assistant (M0560B), Newark. These appeals have been consolidated due to common issues.

The subject examination announcement was issued with a closing date of August 21, 2020, and was open to residents of Newark and New Jersey who met the announced requirement of graduation from an accredited college or university with a Bachelor's degree, and one year of experience performing complex administrative support work which must have included the interpretation, verification and/or application of department/agency rules, regulations, policies and procedures. Applicants who did not possess the required education could substitute additional experience on a year for year basis. The appellants were each found to possess a Bachelor's degree, and were determined to be ineligible for below minimum requirements in experience. It is noted that 78 candidates have been admitted to the examination, but the examination has not been scheduled.

Dawson listed six positions on her application and the attached resume: 1) Senior Systems Analyst from December 2007 to the closing date, August 21, 2020; 2) Technical Assistant, MIS from May 2003 to November 2007; 3) Data Entry Clerk (part-time, 15 hours per week) with University of Medicine and Dentistry from December 1996 to August 2007; 4) Data Processing Programmer/Systems Analyst from April 1995 to April 2003 (full-time, overlaps with position; 5) Principal

Clerk/Stenographer (part-time, 20 hours per week) with the New Jersey Institute of Technology from September 1998 to August 1996; and, 6) Computer Programmer with Essex County Educational Services Commission from December 1988 to August 1993 (full-time, overlaps with position 5). As none of this was found to be qualifying, she was found to be lacking one year of applicable experience.

Horton listed positions as Judiciary Clerk 3/Court Clerk and Judiciary Clerk 2, from December 2002 to the closing date, August 21, 2020. Official records indicate that Horton was a Judiciary Clerk 2 from December 2002 to February 2005, and a Judiciary Clerk 3 afterwards to the closing date. None of this was found to be qualifying, she was found to be lacking one year of applicable experience.

Patel listed two positions on her application: 1) provisional Management Assistant from July 2020 to the closing date, August 21, 2020; and, 2) Payroll Specialist from July 2015 to July 2020. Official records indicate a similar yet different employment history. These records indicate that Patel was hired as a provisional Supervising Payroll Clerk, in July 2015, and was not provisionally appointed to Management Assistant. Patel was found to be lacking one year of qualifying experience as of the announced closing date.

On appeal, Horton states that she has 18 years performing complex administrative support work. Dawson provides additional duties for each of her positions, and concludes that she has performed applicable duties. Patel states that she has the knowledge and experience to perform the duties of the title. She states that she coordinates activities, training and guidance materials, and is well-versed in administrative matters. Patel also provides information regarding positions not listed originally on her application, and a resume with additional positions. The Director, Employee Services provides a letter of support for Patel.

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

The appellants were correctly deemed to be ineligible for the subject examination since they each lacked one year of required experience. It should be noted that since the title requires a Bachelor's degree, the corresponding experience requirement is at the professional level. As such, duties that are technical or clerical in nature do not rise to the level and scope of the required experience.

Dawson's work history had a focus on Information Technology (IT) or clerical work. While the IT duties gained in the title Senior Systems Analyst position were professional, they are not considered to be complex professional administrative work.

A Senior Systems Analyst studies existing operations and programs to convert them to data processing systems, and organizes and directs the execution of systems analysis and design tasks performed by assigned systems analysts. Dawson indicated that the focus of this position was technical support and assistance to users, importing and exporting using analytical tools, and data management. Technical support and assistance to users, system issues and database management were the focus of her Computer Programmer position as well. The remaining positions were clerical or technical.

Horton's experience was entirely clerical, involving scheduling, assisting in daily operations of the court, communications, providing information from files, record keeping, and summarizing cases. This does not evidence experience in performing complex administrative support work which must have included the interpretation, verification and/or application of department/agency rules, regulations, policies and procedures.

Patel's experience, the majority of her experience was as a Supervising Payroll Clerk, a clerical function. She maintains that she was a provisional for one month before the closing date. However, the duties listed are personnel functions wherein she supervises an Administrative Services unit. It is noted that Management Assistant is not a supervisory title. Rather, it is non-supervisory, and the incumbent acts as the principal assistant to the manager(s) regarding administrative matters, and helps to relieve them of administrative detail. Patel's position is appropriately not classified as Management Assistant, and she is not serving as a provisional in this title.

Further, pursuant to *N.J.A.C.* 4A:4-2.1(f), any supplemental information received after the closing date cannot be considered. As such, any positions described on appeal cannot be considered. Even so, Patel did not provide all requisite information for those positions, such as full- or part-time hours or supervisory information. As the examination is competitive, even if her supplemental information were to have been complete, it could not be accepted.

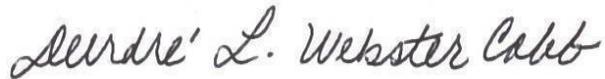
The appellants were denied admittance to the subject examination since they lacked the minimum requirements in experience. An independent review of all material presented indicates that the decisions of the Division of Agency Services, that the appellants did not meet the announced requirements for eligibility by the closing date, are amply supported by the record. The appellants provide no basis to disturb these decisions. Thus, the appellants have failed to support their burden of proof in these matters.

ORDER

Therefore, it is ordered that these appeals be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 24TH DAY OF MARCH, 2021



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